

Remarks/Arguments

35 U.S.C. § 102

Claim 1 was rejected as being anticipated by DE 3305344. The applicant disagrees for the reasons articulated below.

The '344 patent fails to disclose a baffle "to hinder the flow of surface contaminants into the outlet". While impact shield 4 may be considered a baffle in some sense, it does not hinder flow of surface contaminants into the outlet. In fact, surface contaminants will flow over the impact shield and into outlet 3.

Claims 3-11 were rejected as being anticipated by Juntgen et al. (U.S. Patent No. 4,201,695) (Juntgen) and claims 3-11 were also rejected as being anticipated by Tang (U.S. Patent No. 5,215,017). The applicant disagrees with these rejections and discusses the reasons below seriatim.

Juntgen teaches a reaction chamber in which particulate material entrains and carries an adsorbent, including surface material, downward toward the bottom outlet. Claim 3, on the other hand, recites a structure in which the flow of surface material toward the outlet is inhibited.

Further analysis of Juntgen reveals that the baffle configuration is opposite that recited in claim 3. Claim 3 recites baffles wherein "the inlet area of the baffle set increases as fluid depth increases." As can be seen from reviewing Fig. 1 in Juntgen, as the bed increases, the inlet area, if there is any, decreases rather than increases.

As for Tang, this is a fuel feed system with baffles that are intended to reduce the size of the fuel particles prior to the introduction of the fuel into the furnace. It should be noted that the fuel is "conveyed by action of gravity" through the "downwardly sloping" fuel distributor 16" of figure 1 toward the bed reactor 12.

Tang fails to disclose baffles "wherein the inlet area of the baffle set increases as fluid depth increases." First, because the fuel flows down the fuel distributor and into the

bed reactor, there is probably not going to be any appreciable increase in depth. If there is no appreciable increase in depth, a baffle system that depends upon an increase in depth would be useless. Accordingly, the baffle system taught by Tang is opposite that in the claims before the examiner. If, for some reason, the depth in fuel distributor were increased, the inlet area of the baffles would decrease rather than increase.

Conclusion

"Anticipation under 35 USC § 102 requires the disclosure in a single piece of prior art of each and every limitation of a claimed invention..." *Rockwell International Corp. v. United States*, 147 F.3d 1358, 1363, 47 USPQ2d 1027, 1031 (Fed. Cir. 1998), (emphasis added). Based on the failure of the references to disclose each and every limitation of independent claims 1 and 3 as explained above, the applicant maintains that all claims are in condition for allowance.

Respectfully submitted,

Rutan & Tucker, LLP

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By: 

Martin Fessenmaier
Reg. No. 46,697

Attorneys for Applicant(s)
Post Office Box 1950
Costa Mesa, CA 92628-1950
Tel: (714) 641-5100
Fax: (714) 546-9035